



~~November 18, 2003 CPC~~
~~December 17, 2003 BS~~
March 10, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0107

Jacobs Glenn LC

Dale Magisterial District
West line Newbys Bridge Road

REQUEST: Amendment to zoning (Case 00SN0266) to delete a requirement to provide an emergency access.

PROPOSED LAND USE:

A single family residential subdivision is planned. Conditions of zoning approval for Case 00SN0266 require the provision of an emergency access from the property. Relief from this requirement is requested.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITION ON
PAGE 2.

AYES: MESSRS. LITTON, GULLEY AND STACK.

NAYS: MESSRS. GECKER AND CUNNINGHAM.

STAFF RECOMMENDATION

Recommend denial for the following reason:

The adjacent Jacobs Glenn Subdivision has more than fifty (50) homes that have only one (1) point of access. The intent of the emergency access from the subject property to Jacobs Glenn Subdivision is to provide a second means of access for emergency vehicles. Since the current zoning prohibits a public road connection to the stub road, the emergency access road should still be required.

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(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITION

(CPC) No public road connection shall be provided to Jacobs Bend Drive in the Jacobs Glenn Subdivision. (P&T)

GENERAL INFORMATION

Location:

West line of Newbys Bridge Road, south of Valencia Road. Tax ID 759-684-2733 (Sheet 11).

Existing Zoning:

R-12

Size:

30.0 acres

Existing Land Use:

Single family residential

Adjacent Zoning and Land Use:

North - A; Single family residential or vacant
South - R-12; Vacant
East - A and R-9; Single family residential
West - R-12; Single family residential or vacant

UTILITIES AND ENVIRONMENTAL

The requested amendment will have no impact these facilities.

PUBLIC FACILITIES

Fire Service:

This property is currently served by the Manchester Fire/Rescue Station, Company Number 2 and Manchester Rescue Squad.

At the time Jacobs Glenn, Section C was subdivided, a stub road, Jacobs Bend Drive, was provided to the subject property. The intent of this stub road was to ultimately provide a second means of access for emergency vehicles to Jacobs Glenn Subdivision. In lieu of public road access to this stub road, the approved proffered condition requires an emergency access to Jacobs Bend Drive. (Proffered Condition 15, Case 00SN0266)

The applicant is requesting to remove the requirement for the emergency access road. Jacobs Glenn currently has more than fifty (50) homes that have only one (1) point of access. Since the zoning prohibits a public road connection to the existing stub road, the emergency access road should still be required. Therefore, staff does not support deletion of the requirement to provide this emergency access.

Transportation:

The requested amendment will have no impact on these facilities.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Central Area Plan which suggests the property is appropriate for residential use of 1.0 to 2.5 dwelling units per acre.

Area Development Trends:

The area is characterized by Agricultural (A) and Residential (R-9 and R-12) zoning and has been developed for single family residential uses or remains vacant. Based upon the adopted Plan, further residential development is anticipated in the area.

Zoning History:

On January 24, 2001, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning of the request property (Case 00SN0266). With approval of Case 00SN0266, the applicant agreed to provide an emergency access from the eastern terminus of Jacobs Bend Drive through the subject property (Proffered Condition 15, Case 00SN0266). The intent of the emergency access is to provide a second means of access for emergency vehicles to Jacobs Glenn Subdivision. The emergency access is intended to accommodate pedestrian and bicycle traffic, as well. Primary access is proposed to Newbys

Bridge Road. The applicant now wishes to be relieved of the requirement to provide the emergency access.

Site Design:

Conditions of zoning approval for Case 00SN0266 require that there be no public road connection to Jacobs Glenn Subdivision. This requirement is part of the condition the applicant is currently seeking relief from. The applicant has again proffered no public road connection to Jacobs Glenn Subdivision. (Proffered Condition)

Connectivity:

The Planning Commission recently considered a Connectivity Policy, which, among other things, is intended to set forth specific requirements for making connections to or providing stub road streets. Following the public hearing on the proposal the Commission recommended the Board of Supervisors adopt the policy. The recommended policy requires streets in new subdivisions to connect to all adjacent stubs unless the resultant local street pattern would create a traffic count that exceeds the Planning Commission's Stub Road Policy. Connection to the stub road would be recommended by the policy. The policy would also allow connections to be waived in certain circumstances. The policy is pending before the Board of Supervisors.

CONCLUSIONS

Jacobs Glen Subdivision has more than fifty (50) homes that have only one (1) point of access. The intent of this emergency access is to provide a second means of access for emergency vehicles to Jacobs Glenn Subdivision. Since the current zoning prohibits a public road connection to the stub road, the emergency access road should still be required.

Given these considerations, denial of this request is recommended.

CASE HISTORY

Planning Commission Meeting (11/18/03):

The applicant did not accept staff's recommendation, but did accept the Planning Commission's recommendation. Several persons were present in support of this proposal.

Mr. Litton indicated that it would be unfair for this development to bear the maintenance cost for an emergency access to serve an adjacent development.

On motion of Mr. Litton, seconded by Mr. Gulley, the Commission recommended approval of this request and acceptance of the proffered condition on page 2.

AYES: Messrs. Litton, Gulley and Stack.
NAYS: Messrs. Gecker and Cunningham.

Board of Supervisors Meeting (12/17/03):

Mr. Miller noted that a deferral was appropriate to provide the Board an opportunity to consider the subdivision connectivity policy and its relevancy to this case.

On their own motion, the Board deferred this case to the March 10, 2004, meeting.

Staff (12/18/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than January 12, 2004, for consideration at the Board's March 10, 2004, public hearing.

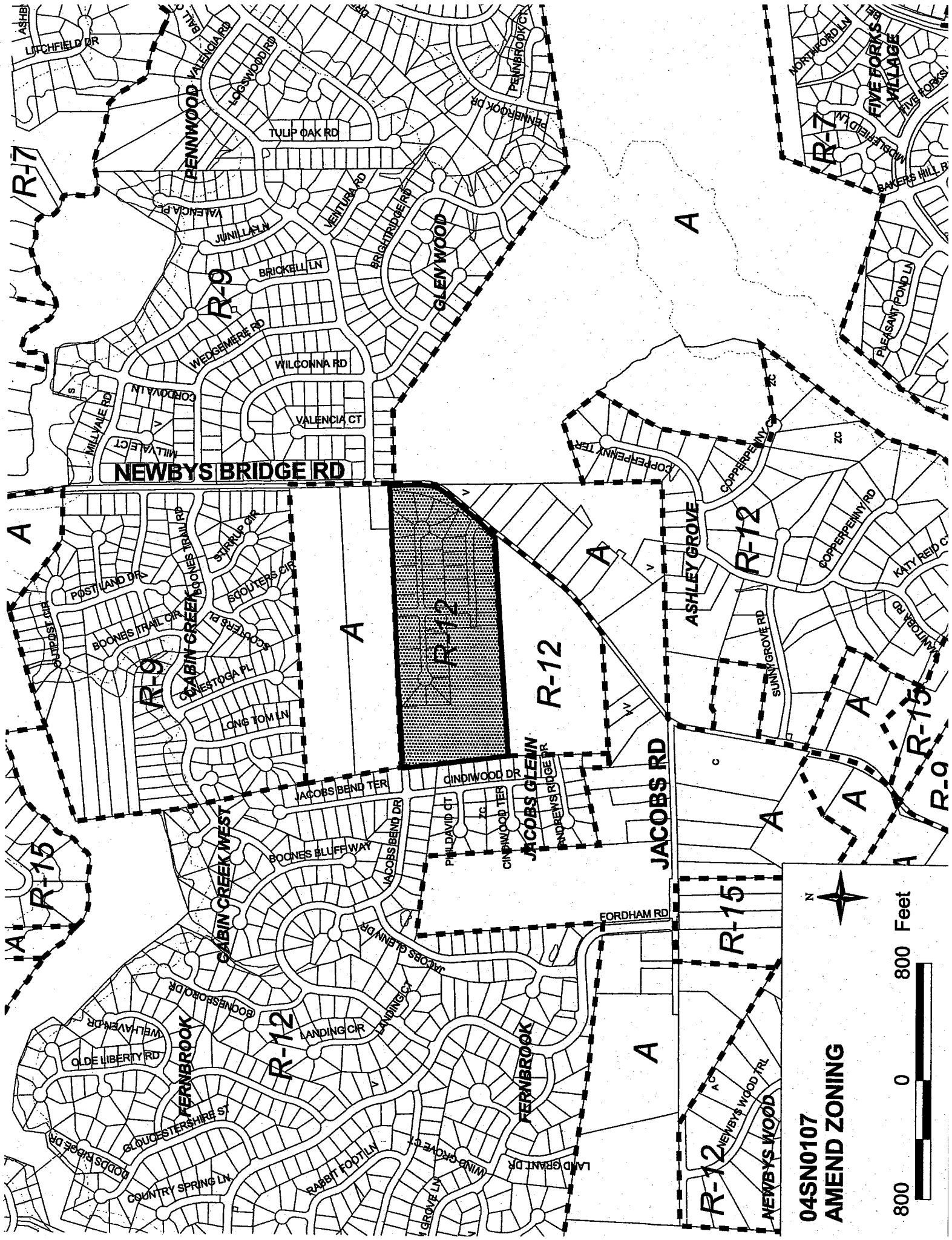
Board of Supervisors Meeting (2/25/04):

The Board deferred consideration of the Connectivity Policy to the March 24, 2004, meeting.

Staff (3/3/04):

To date, no new information has been submitted.

The Board of Supervisors, on Wednesday, March 10, 2004, beginning at 7:00 p.m., will take under consideration this request.



**04SN0107
AMEND ZONING**

